

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

KHALED ELSISI, et al.,

Civil Action No. 2:23:cv-20773

Plaintiffs,

v.

CFT SOLUTIONS, et al.,

Defendants.

**DECLARATION OF JUSTIN B. KAPLAN**

I, Justin B. Kaplan, the undersigned, hereby make this declaration pursuant to 28 U.S. Code § 1746, and declare as follows:

1. I respectfully submit this declaration pursuant to D.N.J. Local Rule 37(b)(1) to accompany the Motion to Compel Production, Attendance at Depositions, and for Sanctions (the “Motion”) filed in the above-referenced action. I am over eighteen years of age, and if called upon I could testify as to the facts stated herein.

2. I hereby certify that I conferred with Plaintiffs on June 13, 2025, via email in a good faith effort to resolve by agreement the issues regarding Plaintiffs’ failure to coordinate the dates of Plaintiffs depositions raised by the Motion without the intervention of the Court and that the parties have been unable to reach agreement.

3. With respect to the issues raised in the Motion regarding Plaintiffs’ responses to Defendants’ requests for production, Plaintiffs have repeatedly taken the position in email correspondence and in filings with the Court that they do not intend to abide by the Court’s

scheduling orders regarding jurisdictional discovery because it is their position that they should not have been entered.

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 17, 2025

/s/ Justin B. Kaplan  
Justin B. Kaplan